



JUL 27 2005

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## FACSIMILE TRANSMISSION

Total # of Pages 9 (including this page)

TO:	PHONE #:	FAX #:
Examiner T. Patel Group Art Unit 3765 U.S. Patent and Trademark Office	571-272-4993	703-872-9306

**From :** Steven C. Koerber, Patent Agent  
 For Richard J. Warburg  
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**Sender's Direct Dial :** 858.847.6725  
**Date :** July 27, 2005  
**Client/Matter No :** 023340-0201  
**User ID No :** 9055

## MESSAGE:

U.S. Patent Application No. 10/666,347

Following is:

- 1) Amendment Transmittal; and
- 2) Amendment and Reply Under 37 CFR 1.111.

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NO. 3188 P. 2

JUL 27 2005

Atty. Dkt. No. 023340-0201

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael D. Green

Title: EXERCISE SUIT

Appl. No.: 10/666,347

Filing Date: 9/19/2003

Examiner: T. Patel

Art Unit: 3765

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 I hereby certify that this paper is being facsimile transmitted to the  
 United States Patent and Trademark Office, Alexandria, Virginia  
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*Rachel Caputo*  
 (Printed Name)  
*Rachel Caputo*  
 (Signature)

July 27, 2005  
 (Date of Deposit)

AMENDMENT TRANSMITTAL

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

Assertion of Small Entity status is enclosed.

The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	19	-	20	= 0 x \$50.00	= \$0.00
Independent Claims:	3	-	3	= 0 x \$200.00	= \$0.00
				First presentation of any Multiple Dependent Claims: + \$360.00	= \$0.00

Atty. Dkt. No. 023340-0201

CLAIMS FEE TOTAL	=	\$0.00
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[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	\$0.00
[ ] Extension for response filed within the second month:	\$450.00	\$0.00
[ ] Extension for response filed within the third month:	\$1,020.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
[ X ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

[ X ] Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[ ] A check in the amount of \$0.00 is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 023340-0201

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 27, 2005

By Steven C. Koerber

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NO. 3188 P. 5

Atty. Dkt. No. 023340-0201

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael D. Green

Title: EXERCISE SUIT

Appl. No.: 10/666,347

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Examiner: T. Patel

Art Unit: 3765

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the	
United States Patent and Trademark Office, Alexandria, Virginia	
on the date below.	
<i>Rachel Caputo</i> (Printed Name)	
<i>Rachel Caputo</i> (Signature)	
July 27, 2005 (Date of Deposit)	

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated April 28, 2005, concerning the above-referenced patent application.

Amendments to the Claims/Listing of Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 5 of this document.

Please amend the application as follows: